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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,539	05/13/2002	Derek Edward Roberts	MARSP0125US	8840

43076 7590 06/01/2005

MARK D. SARALINO (GENERAL)
RENNER, OTTO, BOISELLE & SKLAR, LLP
1621 EUCLID AVENUE, NINETEENTH FLOOR
CLEVELAND, OH 44115-2191

EXAMINER

SWEARINGEN, JEFFREY R

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,539

Applicant(s)

ROBERTS ET AL.

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-139 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-130 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-29 and 132, drawn to detecting events based upon associated addresses.

Group II, claim(s) 30-54, drawn to an asynchronous network interface that compares triggering values.

Group III, claim(s) 55-71, drawn to an asynchronous network with support for I/O devices.

Group IV, claim(s) 72-79, drawn to a DMA engine.

Group V, claim(s) 80-89, 100-113, and 133-139, drawn to updating WRP and RDP values.

Group VI, claim(s) 114-125, drawn to software stubs and marshalling a data stream.

Group VII, claim(s) 126-131, drawn to transmission and splitting of a data burst.

2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I deals with comparison of associated addresses. Group II deals with comparison of triggering values on an asynchronous network. Comparison of addresses is a different inventive concept than comparison of triggering values. A separate field of search is required.

3. The inventions listed as Groups I and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I deals with comparison of associated addresses. Group III deals with comparison of triggering values on an asynchronous network with support for I/O devices. Group I does not deal with external devices. Group III deals with comparison of triggering values, which is a different inventive concept than comparison of associated addresses. A separate field of search is required.

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4. The inventions listed as Groups I and IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I deals with comparison of associated addresses. Group IV deals with a DMA engine. Group I deals with associated addresses, which is a different inventive concept than comparing triggering values. The DMA engine and DMA transfer in Group IV is a different inventive concept than anything found in Group I. A separate field of search is required.

5. The inventions listed as Groups I and V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I deals with comparison of associated addresses. Group V deals with WRP and RDP values being updated. No comparison of any values is done in Group V, which makes it a different inventive concept than Group I. A separate field of search is required.

6. The inventions listed as Groups I and VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I deals with comparing associated addresses. Group VI deals with software stubs and marshalling a data stream. These are two different inventive concepts in entirety, and likewise require separate fields of search.

7. The inventions listed as Groups I and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I deals with detecting events based upon associated addresses. Group VII deals with transmission of a data burst. Address comparison is not utilized in Group VII, therefore they are two different inventive concepts and require separate fields of search.

8. The inventions listed as Groups II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group II deals with an asynchronous network interface. Group III deals with the asynchronous network interface with support for external I/O devices. The search for Group III would be substantially different than the search for Group II.

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9. The inventions listed as Groups II and IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group II deals with an asynchronous network interface whereas Group IV has a DMA engine which is not needed for Group II. The DMA engine will substantially alter the field of search necessary between Groups II and IV.

10. The inventions listed as Groups II and V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group II deals with triggering values and Group V deals with the alteration of WRP and RDP values, which will require separate search fields.

11. The inventions listed as Groups II and VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group II deals with strictly comparing triggering values whereas Group VI deals with marshalling data streams using software stubs, which will require separate search fields.

12. The inventions listed as Groups II and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group II deals with an asynchronous network interface and comparing triggering values whereas Group VII deals with transmission and splitting of a data burst, which will require separate search fields.

13. The inventions listed as Groups III and IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group III deals with asynchronous networks with external I/O devices whereas Group IV deals with a DMA engine, which will require separate search fields.

14. The inventions listed as Groups III and V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group III deals with asynchronous networks with external I/O devices whereas Group V deals with the alteration of WRP and RDP values, which will require separate search fields.

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15. The inventions listed as Groups III and VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group III deals with asynchronous networks with external I/O devices whereas Group VI deals with marshalling data streams using software stubs, which will require separate search fields.

16. The inventions listed as Groups III and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group III deals with asynchronous networks with external I/O devices whereas Group VII deals with transmitting, halting, and splitting a data burst, which will require separate search fields.

17. The inventions listed as Groups IV and V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group IV deals with a DMA engine whereas Group V deals with WRP and RDP values, which will require separate search fields.

18. The inventions listed as Groups IV and VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group IV deals with a DMA engine whereas Group VI deals with marshalling data streams using software stubs, which will require separate search fields.

19. The inventions listed as Groups IV and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group IV deals with a DMA engine whereas Group VII deals with transmitting, halting, and splitting a data burst, which will require separate search fields.

20. The inventions listed as Groups V and VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group V deals with WRP and RDP values being updated, whereas Group VI deals with marshalling data streams using software stubs, which will require separate search fields.

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21. The inventions listed as Groups V and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group V deals with WRP and RDP values being updated, whereas Group VII deals with transmitting, halting, and splitting a data burst, which will require separate search fields.

22. The inventions listed as Groups VI and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group VI deals with marshalling data streams using software stubs, whereas Group VII deals with transmitting, halting, and splitting a data burst, which will require separate search fields.

23. A telephone call was made to Mark Saralino on May 27, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

24. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER